

In Re Application of: IKEGAMI et al.

Application No.: 09/893,005

Filed: June 28, 2001

For: TRANSGENIC PLANTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 1638

Examiner: G. L. HELMER

Washington, D.C.

Atty.'s Docket: IKEGAMI=2

Date: December 23, 2003

THE HONORABLE COMMISSIONER FOR PATENTS  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop:  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Sir:

Transmitted herewith is a [ X ] Amendment [ ] \_\_\_\_\_ in the above-identified application.

[ ] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

[ ] No additional fee is required.

[XX] The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT	(Col. 2) MINUS	(Col. 3) HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 11	MINUS	** 20	0
INDEP.	* 1	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

ADDITIONAL FEE TOTAL

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
x 9	\$		x 18	\$
x 43	\$		x 86	\$
+ 145	\$		+ 290	\$
ADDITIONAL FEE TOTAL			TOTAL	

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- [ ] First - \$ 55.00
- [ ] Second - \$ 210.00
- [ ] Third - \$ 475.00
- [ ] Fourth - \$ 740.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- [ ] First - \$ 110.00
- [ ] Second - \$ 420.00
- [XX] Third - \$ 950.00
- [ ] Fourth - \$ 1480.00

Month After Time Period Set

[ ] Less fees (\$\_\_\_\_\_) already paid for \_\_\_\_ month(s) extension of time on \_\_\_\_\_.

[ ] Please charge my Deposit Account No. 02-4035 in the amount of \$\_\_\_\_\_.

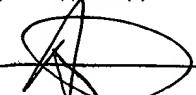
[XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$950.00.

[ ] A check in the amount of \$\_\_\_\_\_ is attached (check no. ).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant(s)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: IKEGAMI=2

In re Application of: ) Art Unit: 1638  
IKEGAMI et al. )  
Appln. No.: 09/893,005 ) Examiner: G. L. Helmer  
Date Filed: June 28, 2001 )  
For: TRANSGENIC PLANTS ) Washington, D.C.  
 ) Confirmation No. 6398  
 ) December 23, 2003

**AMENDMENT**

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, **Mail Stop**  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Sir:

In response to the Office Action of July 1, 2003,  
petition and payment for a three month extension of time being  
attached hereto, please amend as follows:

**Amendments to the Claims** are reflected in the listing of claims  
which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.

**Attachments** attached are 3 journal articles following page 13 of  
this paper.